



**NOTICE OF THE  
REGULAR SESSION OF  
THE FOUNTAIN HILLS TOWN COUNCIL**

**Mayor Jay T. Schlum**

**Councilmember Mike Archambault**

**Councilmember Dennis Brown**

**Councilmember Dennis Contino**

**Councilmember Ginny Dickey**

**Vice Mayor Cassie Hansen**

**Councilmember Henry Leger**

**TIME: 6:30 P.M. - REGULAR SESSION**

**WHEN: THURSDAY, DECEMBER 17, 2009**

**WHERE: FOUNTAIN HILLS COUNCIL CHAMBERS**

**16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ**

**PROCEDURE FOR ADDRESSING THE COUNCIL**

Anyone wishing to speak before the Council must fill out a speaker's card and submit it to the Town Clerk prior to Council discussion of that Agenda item. Speaker Cards are located in the Council Chamber Lobby and near the Clerk's position on the dais.

Speakers will be called in the order in which the speaker cards were received either by the Clerk or the Mayor. At that time, speakers should stand and approach the podium. Speakers are asked to state their name prior to commenting and to direct their comments to the Presiding Officer and not to individual Councilmembers. Speakers' statements should not be repetitive. *If a speaker chooses not to speak when called, the speaker will be deemed to have waived his or her opportunity to speak on the matter. Speakers may not (i) reserve a portion of their time for a later time or (ii) transfer any portion of their time to another speaker.*

**If there is a Public Hearing, please submit the speaker card to speak to that issue during the Public Hearing.**

Individual speakers will be allowed **three** contiguous minutes to address the Council. Time limits may be waived by (i) *discretion of the Town Manager upon request by the speaker not less than 24 hours prior to a Meeting*, (ii) *consensus of the Council at Meeting* or (iii) *the Mayor either prior to or during a Meeting*. Please be respectful when making your comments. If you do not comply with these rules, you will be asked to leave.

- **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Schlum
- **INVOCATION** – Dr. Paul Soderquist, Fountain Hills Presbyterian Church
- **ROLL CALL** – Mayor Schlum
- **MAYOR’S REPORT**
  - (i) A review of upcoming community events.
- **SCHEDULED PUBLIC APPEARANCES/PRESENTATIONS**
  - i) Financial Presentation by Jill A. Shaw, CPA, with the auditing firm of Heinfeld, Meech & Co., P.C. of the Town of Fountain Hills’ Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2009.
  - ii) Presentation by Public Safety Advisory Commission regarding the Public Safety Day event scheduled for February 13, 2010.

### **CALL TO THE PUBLIC**

Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Council and (ii) is subject to reasonable time, place, and manner restrictions. The Council will not discuss or take legal action on matters raised during “Call to the Public” unless the matters are properly noticed for discussion and legal action. At the conclusion of the call to the public, individual Councilmembers may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future Council agenda.

### **CONSENT AGENDA**


1. **CONSIDERATION** of approving the TOWN COUNCIL MEETING MINUTES from November 10, 2009, and December 3, 2009.
2. **CONSIDERATION** of approving RESOLUTION 2009-41, granting a power distribution easement to Salt River Project Agricultural Improvement and Power District.
3. **CONSIDERATION** of approving RESOLUTION 2009-42, granting an easement to Cricket Communications, Inc.
4. **CONSIDERATION** of approving the EXTENSION of the expiration date for terms on the Strategic Planning Advisory Commission from February 28, 2010, to June 30, 2010.
5. **CONSIDERATION** of approving the APPOINTMENT of Councilmember Dennis Brown, Councilmember Dennis Contino, and Councilmember Henry Leger to serve on the Town Council Review Subcommittee for the purpose of reviewing applications, interviewing applicants, and submitting a recommendation to the Mayor for citizens’ appointments to the Board of Adjustment.
6. **CONSIDERATION** of approving NOT RENEWING the Town of Fountain Hills Community Center’s Class 5 liquor license at the time of expiration, January 30, 2010.

### **REGULAR AGENDA**

7. **RECONSIDERATION** of ORDINANCE 09-09, amending the Fountain Hills Town Code, Chapter 7, Buildings and Building Regulations, Article 7-10, Development Fees, relating to adjustments to development fees for the Town of Fountain Hills.

8. **CONSIDERATION** of a TEMPORARY USE PERMIT for the Town Center Merchants Group Repeating Outdoor Retail Sales Events for 2010. Case# TU2009-06
9. **CONSIDERATION** of a TEMPORARY USE PERMIT for the Plaza Fountainside, located at 12645 N. Saguaro Boulevard, for repeating outdoor retail sales events for 2010. Case# TU2009-05
10. **PUBLIC HEARING** regarding ORDINANCE 09-13, a text amendment to the Town of Fountain Hills Zoning Ordinance, Chapter 6, Sign Regulations, Sections 6.08.B.13, 6.08.D.3, 6.03.A.13, and 6.08.B.4. The amendments extend the expiration date to December 31, 2010, for A-frame signs and banners for special sales events and include a requirement for a permit for A-frame signs and clarification of the purpose of an A-frame sign.
11. **CONSIDERATION** of ORDINANCE 09-13, a text amendment to the Town of Fountain Hills Zoning Ordinance, Chapter 6, Sign Regulations, Sections 6.08.B.13, 6.08.D.3, 6.03.A.13, and 6.08.B.4. The amendments extend the expiration date to December 31, 2010, for A-frame signs and banners for special sales events and include a requirement for a permit for A-frame signs and clarification of the purpose of an A-frame sign.
12. **PUBLIC HEARING** on adopting the Town of Fountain Hills General Plan 2010.
13. **CONSIDERATION** of RESOLUTION 2009-43, adopting the Town of Fountain Hills General Plan 2010, and calling a Special Election to be held on May 18, 2010, for voter ratification of the new General Plan, as required by State Law.
14. **PUBLIC HEARING** to receive comments on RESOLUTION 2009-40, a proposed Downtown Fountain Hills Area Specific Plan, which outlines the proposed development patterns and land uses for the downtown area. Case #ASP2009-01
15. **CONSIDERATION** of RESOLUTION 2009-40, adopting the Downtown Fountain Hills Area Specific Plan, which outlines the proposed development patterns and land uses for the downtown area. Case #ASP2009-01
16. **COUNCIL DISCUSSION/DIRECTION** to the Town Manager.  
Items listed below are related only to the propriety of (i) placing such items on a future agenda for action or (ii) directing staff to conduct further research and report back to the Council:  
A. None.
17. **SUMMARY** of COUNCIL REQUESTS and REPORT ON RECENT ACTIVITIES by the Town Manager.
18. **ADJOURNMENT.**

**DATED** this 10<sup>th</sup> day of December, 2009.

  
Bevelyn J. Bender, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 (voice) or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting or to obtain agenda information in large print format. *Supporting documentation and staff reports furnished the Council with this agenda are available for review in the Clerk's office.*